

BY ORDER OF THE MAYOR OF THE CITY OF ROCKLEDGE,  
BREVARD COUNTY, FLORIDA

DECLARATION OF STATE OF LOCAL EMERGENCY

WHEREAS, Subtropical Storm Nicole has the potential for causing extensive damage to life and properties within all cities and municipalities within the geographic area of the City of Rockledge and poses an immediate threat; and

WHEREAS, Subtropical Storm Nicole has the potential for causing extensive damage to public utilities, public buildings, public streets and roads, public drainage systems, and commercial and residential building and areas; and

WHEREAS, Chapter 252.38(3)(a), Florida Statutes, provides authority for a political subdivision, such as the City of Rockledge, to declare a state of local emergency and to exercise certain powers and authority to safeguard the lives and property of its citizens; and

WHEREAS, Section 13-3 (Civil emergencies) of the Rockledge Code of Ordinances sets forth that the Mayor is empowered to declare a state of emergency and to exercise emergency powers conferred in Section 870.041 - 870.047, Florida Statutes.

**NOW, THEREFORE, BE IT DECLARED PURSUANT TO POWER VESTED IN ME, AS MAYOR OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA UNDER SECTION 13-3, ROCKLEDGE CODE OF ORDINANCES,** that Subtropical Storm Nicole poses a serious threat to the lives and property of the residents of the City of Rockledge and that a local state of emergency is declared effective the 7th day of November, 2022 at 5:00 p.m., for all the territory within the legal boundaries of the City of Rockledge.

SECTION 1. Recitals. The foregoing recitals are hereby fully incorporated herein by this reference and are deemed a material part of this Declaration.

SECTION 2. As Mayor, I hereby authorize the City to exercise its authority and powers pursuant to Florida Statutes 252.38(3) (a) and Chapter 13 of the Rockledge Code of Ordinances, and under the direction of the City Manager to the extent necessary to protect the public health, safety and welfare and the best interests of the City of Rockledge, which include the authority and powers to:

1. CONTRACTS; EQUIPMENT; SUPPLIES: Appropriately expend funds; make contracts; obtain and distribute equipment, materials and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to the victims of any emergency; and direct and coordinate the development of emergency management plans and programs in accordance with the policies and plans set by the Federal and State Emergency Management agencies.
2. ADDITIONAL PERSONNEL: Appoint, employ, remove, or provide (with or without compensation) coordinators, rescue teams, fire and police personnel, and other emergency management workers.
3. EMERGENCY OPERATING CENTERS: Establish, as necessary, a primary and one or more secondary emergency operating centers to provide continuity of government and direction and control of emergency operations.
4. ASSIGNMENT — CITY PROPERTY/PERSONNEL: Assign and make available for duty the offices and agencies which operate under the City Council of the City of Rockledge, including the employees, property, and equipment thereof relating to firefighting, engineering, rescue, health, medical and related services, police, transportation, construction, and similar items or services for emergency operation purposes, as the primary emergency management forces of the City of Rockledge for employment within or outside the political limits of the City of Rockledge.
5. REQUEST FOR ASSISTANCE: Request County assistance or invoke emergency-related mutual aid assistance by

declaring a local state of emergency in the event of an emergency affecting the City of Rockledge.

6. WAIVER OF PROCEDURES: To waive the procedures and formalities otherwise required of the City of Rockledge by law pertaining to:
  - a) Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community
  - b) Entering into contracts
  - c) Incurring obligations
  - d) Employment of permanent and temporary workers
  - e) Utilization of volunteer workers
  - f) Rental of equipment
  - g) Acquisition and distribution, with or without compensation, of supplies, materials, and facilities
  - h) Appropriation and expenditure of public funds
7. DURATION OF DECLARATION. This Declaration of local state of emergency shall commence immediately, and shall be limited to 7 days but may be extended in 7-day increments as well as terminated by written instrument executed by the undersigned Mayor.

SECTION 3. All public officials and employees of the City of Rockledge are hereby directed to exercise the utmost diligence in the discharge of the duties required of them for the duration of the emergency and in the execution of emergency laws, regulations and directives, state and local.

SECTION 4. All citizens are called upon and directed to comply with the necessary emergency measures, to cooperate with public officials and civil emergency disaster service forces in executing the emergency operational plans, and to obey and comply with the lawful directions of properly identified public officers.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase, word, or portion of this Declaration is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereto.

SECTION 6. Effective Date. This Declaration shall become effective immediately upon the execution of this Declaration by the undersigned.

SECTION 7. Notice to the City Council. The City Clerk is hereby directed to provide a copy of this Declaration to all members of City Council, City Manager, City Attorney, City Department Directors, and other appropriate government officials.

**DECLARED** by the Mayor of the City Council of the City of Rockledge, Brevard County, Florida, this 7th day of November, 2022.

/s/Thomas J. Price  
Mayor, City Council of the  
City of Rockledge, Florida

ATTEST:

/s/Jennifer M. LeVasseur  
City Clerk